

Message Text

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ACTION EB-11

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SUBJECT: CIVAIR -GREEK LAW PROVIDING FOR PROSECUTION OF PILOTS
IN AIR PLANE ACCIDENTS

REF: STATE 92479 (NOTAL), 080002 (NOTAL) ATHENS 2479 AND 2909

EMREPS FINALLY MET WITH GENERAL EDMOND LAITMER, GOVERNOR GREEK
CIVIL AVIATION AUTHORITY MAY 29, AFTER OVER TWO WEEKS' DELAY
RESULTING FROM NEWLY ENFORCED GOG PROCEDURES FOR MAKING
APPOINTMENTS WITH OFFICIALS. GOVERNOR LAITMER WAS PLEASANT
AND TALKATIVE BUT WARNED THAT HIS STATEMENTS WERE OFF THE
RECORD AND NOT FOR PUBLICATION. PRINCIPAL TOPIC WAS PILOT
CRIMINAL LIABILITY IN AIRCRAFT CRASHES. EMREPS REFERRED TO
DEPARTMENT'S INQUIRIES AND EXPRESSED CONCERN ON MATTER. GENERAL
LAITMER MADE FOLLOWING POINTS:

(A) GREEK CAA'S ROLE IN MATTER IS LIMITED TO ADVISING GREEK
GOVERNMENT WHICH HAS OVERALL RESPONSIBILITY ON MATTER AND POWER
TO ENACT LEGISLATION;

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(B) GREEK UNION OF CIVIL AVIATION PILOTS ARE GROSSLY EXAGGERAT-

ING THEIR PROBLEM, INTERNALLY BY CLAIMING THAT PILOTS ABROAD DO NOT HAVE CRIMINAL LIABILITY IN CRASHES, AND ABROAD BY CAUSING AGITATION AMONG FOREIGN AND INTERNATIONAL PILOTS' UNIONS, EMBARRASSING GREEK GOVERNMENT AND AUTHORITIES. CONTRARY TO GREEK PILOT UNION'S CLAIMS, DURING HIS RECENT TRIP TO PARIS TO ATTEND ECAC MEETING GENERAL LAITMER WAS TOLD AT FRENCH JUSTICE MINISTRY THAT FRECT# PILOTS HAVE CRIMINAL LIABILITY AND ARE PROSECUTED BY DISTRICT ATTORNEYS WHO ARE ADVISED BY TECHNICAL PANELS;

(C) GENERAL LAITMER UNDERSTANDS THAT GOG WILL AMEND RELEVANT LEGISLATION ONLY AFTER TRIAL OF OLYMPIC PILOT THOMADAKIS ON JUNE 29. BASIC FEATURES GREEK LAW CAN OT# BE MODIFIED; GENERAL

LAITMER THINKS THAT UNDER AMENDED LEGISLATION, GREEK D.A. WILL CONTINUE BEING VESTED WITH POWER TO PROSECUTE PILOTS; THE D.A. WILL BE ADVISED BY A PANEL OF CIVIL AVIATION EXPERTS ON THE TECHNICAL ASPECTS OF THE ACCIDENT AND BY INVESTIGATING JUDGES ON LEGAL ASPECTS. WHILE THE PANEL'S ADVICE WOULD NOT BE BINDING ON D.A., HE WOULD NORMALLY BE EXPECTED TO ACT IN ACCORD. F.Y.I. GEN LAITMER STATED THAT HE HAS TALKED WITH THOMADAKIS AND URGED HIM TO ADMIT PILOT ERROR IN FORTHCOMING TRIAL BUT THOMADAKIS, ON ADVICE OF COUNSEL, DETERMINED TO PLEAD NOT GUILTY. TASCA

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